

# Gateway Preparatory Academy



## Employee Handbook

Effective Date July 1, 2021

This Employee Handbook supersedes and replaces all previous Employee Handbooks and relevant human resource policies of the School.

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### Introduction

Welcome to Our School!

We are pleased to have you with us as part of our team. Just like any good team, teamwork is essential to our success. We hope that you are proud to be with us! Our hope is that the school and you will contribute much toward the mutual benefit of each other and the entire school community. This handbook or policy manual is written for you. Its purpose is to provide meaningful information that will inform you of our culture and principles, benefits, policies, operational procedures and other things that will prove helpful during your employment with the school.

You are one of the most important people at our school. You determine much of how our customers (students and their families) feel about our school. You are on the front lines. What you do matters! We want you to have the information and resources you need to be successful and will do what we can to support you in your role at the school. Do everything you can to be a positive force for good within our organization so that the needs of our customers are met, even exceeded.

### About This Handbook

The following pages contain information regarding many of the policies and procedures of Gateway Preparatory Academy, a public Gateway Preparatory Academy (hereby referred to as "School"). *This is not an employment contract; either expressed or implied and is not intended to create contractual obligations of any kind or modify the at-will employment relationship between employee and the School.* The information in this Handbook is considered to be school policy, which is your responsibility to know, understand, and follow. Violations of school policies, including those in this Handbook, may be cause for disciplinary action, up to and including termination of employment.

We value the many talents and abilities of our employees and seek to foster an open, cooperative and dynamic environment where employees and the school alike can thrive. If you would like further information or have questions about any of the policies and procedures outlined in this handbook, please feel free to bring them to the attention of the school director.

### About Our School

Gateway Preparatory Academy (GPA) located in Enoch, Utah is the first charter school in Iron County. Gateway is a K-8 Montessori school. We believe that children are individuals who have their own unique learning style and pace. By discovering and catering to children's strengths we believe they will acquire the proper tools of learning to facilitate a well-balanced education.

The Montessori method of education allows students to be directly involved in their own learning. This fosters self-discipline and a life-long thirst for knowledge. The Montessori Method as an interdisciplinary curriculum creates an understanding of how subjects complement and complete one another. Students are better able to integrate the skills they learn into real world contexts.

Through practical application and applied knowledge, students comprehend that they learn in order to create. The students make a difference in their own life and in the world around them.

Students are part of a multi-age classroom with a focus on discovery and strong mentoring. The Montessori philosophy is integrated with a commitment to Utah Core standards. Students participate in service projects and work collaboratively to accomplish individual goals.

We are a community of families, educators, and leaders dedicated to making a positive and lasting impact on our environment, our state and our nation. Our vision is to educate students that will become citizens whose actions reflect strong character, ethical values, an awareness of their role as stewards of this earth, and a clear understanding of their own and others self-worth and dignity.

Gateway's academic program offers a uniquely prepared environment emphasizing the intellectual and humanitarian development of students. Individual attention to educating the whole child will produce self-disciplined, cooperative, responsible and creative thinkers who positively affect their school, neighborhood and the world at large.

## **General Provisions**

### **Expectations**

We expect that every employee will read, understand and apply the School's policies and procedures outlined in this handbook and in all handbooks, manuals, policies, job descriptions, memos and other correspondence. We expect all employees who do not understand any policy, procedure or day-to-day instruction given to speak to their supervisor immediately for clarification.

#### **GATEWAY PREPARATORY ACADEMY AGREES TO:**

- Conduct a comprehensive needs assessment annually. Use multiple sources of information to determine strengths and needs of the school. Disaggregate data.
- From the needs assessment establish goals and set student achievement standards.
- Outline and align curriculum and instruction.
- Provide extended learning time and opportunities for children
- Provide accelerated high quality instruction
- Implement transition activities between each environment within the school.
- Ensure that educational services are provided by highly qualified teachers and support staff.
- Ensure that High quality professional development is on-going.
- Provide a safe environment conducive to student learning
- Involve parents in the development of goals and expectations.
- Build the capacity of parents to help children achieve high standards.
- Share assessment and evaluation data with parents and the public.
- Hold parent-teacher conferences twice each year to discuss student progress and this compact.
- Present progress reports at the end of each term for all students.
- Communicate regularly with parents and provide opportunities for parents to communicate with the school.
- Provide opportunities to volunteer on a regular basis.

#### **PARENTS AGREE TO:**

- Ensure that their children attend school regularly.
- Read to/with their children on a regular basis.
- Volunteer at school when possible.
- Participate in decisions related to their child's education.
- Attend parent-teacher conferences.
- Communicate regularly with the school.

#### **STUDENTS AGREE TO:**

- Be present and attentive at school

- Read 30 minutes every day outside of school time.
- Give “Wednesday folders” to parents with all of the information sent home by school. Complete homework when assigned.

## At Will Employment

The School does not offer tenured or guaranteed employment. *The school employee/employer relationship is an at-will relationship and can be terminated by either party at any time, with or without cause, and with or without notice, including after any evaluation period.* Any handbooks, manuals, policies and procedures (including this handbook) maintained by the school are not contractual in nature, and therefore may be waived, suspended, amended, deviated from or abolished at the sole discretion of the school at any time. *Nothing in the policies of the school or any other School document or statement will be considered as creating continued or guaranteed employment or benefits.* The school’s policies are subject to change or amendment at any time, with or without prior notice. *Notwithstanding the foregoing, the School will never change the at-will employment status of its employees.* This provision does not affect employees’ legal right to organize through a collective bargaining agreement. No policy or procedure in this handbook or in any document or practice of the School shall be construed to limit the nature of the at-will employment relationship.

## Equal Employment

It is the established policy of the School to provide equal employment opportunities to all qualified persons and to administer all aspects and conditions of employment without regard to race, religion, color, sex, gender, sexual orientation, pregnancy, age, national origin, ancestry, physical or mental disability, severe/morbid obesity, medical condition, military or veteran status, genetic information, marital status, ethnicity, alienage, gender identity or any other protected classification, in accordance with applicable federal, state, and local laws. The School takes allegations of discrimination, intimidation, harassment, and retaliation very seriously and will promptly conduct an investigation when warranted.

Equal employment opportunity includes, but is not limited to, employment, training, promotion, demotion, transfer, leaves of absence and termination.

## Reasonable Accommodation

It is the policy of the School to comply with all the relevant and applicable provisions of the federal Americans with Disabilities Act (ADA), as well as state and local laws concerning the employment of persons with disabilities. The School will not discriminate against any qualified employee or job applicant because of a person’s physical or mental disability with respect to any terms, privileges or conditions of employment, including, but not limited to hiring, advancement, discharge, compensation and training.

Employees who become disabled should notify administration if the conditions of the disability impair their ability to perform the essential functions of their position. Where necessary and feasible, reasonable accommodations will be made for qualified disabled employees to perform the essential functions of the job in question, as long as the accommodation does not cause the School undue hardship.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threats cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until a decision has been made by management in regard to the employee’s immediate employment situation.

## Immigration Law Compliance

The School hires only those persons legally authorized to work in the United States, including U.S. citizens and non-citizen that are properly authorized to work in the U.S. under the Immigration Reform and Control Act of 1986. As a condition of employment, all new and former employees rehired must show valid documentation of identity and eligibility to work in the United States. The federal I-9 form and E-Verify will be used for this purpose. Each individual employed by the School will be required to produce, within three (3) days, proof of his/her identity and eligibility to work in the United States. Each individual hired by the School will be required to certify on the appropriate Form I-9 his/her identity and right to work in the United States.

### Evaluation or Introductory Period

The employee's first ninety (90) days of employment with the School are considered an introductory period. This introductory period will be a time for getting to know fellow employees, managers and the tasks involved in the position, as well as becoming familiar with the School's products and services. The supervisor or manager will work closely with each employee to help them understand the needs and processes of their job.

This introductory period is a try-out time for the employee and the School. During this introductory period, the School will evaluate employees' suitability for employment, and employees can evaluate the School as well. At any time during the first ninety (90) days, employees may resign. If, during this period, employee work habits, attitude, attendance, performance or other relevant factors do not measure up to our standards, policies, and/or Utah professional educator standards, the School may release employment.

At the end of the introductory period, the supervisor or manager will discuss each employee's job performance with them. During the course of the discussion, employees are encouraged to give their comments and ideas as well.

Please understand that completion of the introductory period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for cause. Please also understand that completion of the introductory period does not imply that employees now have a contract of employment with the School, other than at-will. Completion of the introductory period does not alter the at-will employment relationship.

A former employee who has been rehired after a separation from the School of more than one year is considered an introductory employee during their first thirty (30) days following rehire.

### Transfers

Management reserves its right to place employees where, and in whatever jobs it deems necessary. All job transfers, job changes, reassignments, promotions or lateral transfers are at the discretion of the School.

### Work Assignments

In addition to specific duties that may accompany an individual's job responsibilities, each job also includes "and other assigned duties." From time to time, employees may be required to perform duties or tasks of a fellow employee who is absent or for a position that is temporarily vacant. Employees will be compensated at their regular rate of pay while performing other assigned duties on a temporary basis.

### Personnel File

School keeps personnel files on each of its employees. These files are School property. Employee personnel files will not be copied or be removed from the premises unless there is a legitimate business need to do so.

All employees may view their personnel file by contacting the business office for an appointment during regular business hours. No employee may view the contents of his or her personnel file without a representative from school administration present or may alter or remove any document in his or her personnel file.

### Reporting Personal Information Changes

To avoid errors, employees are responsible for promptly notifying the business office of any change in their name, address, telephone number, citizenship, tax withholdings, emergency contact information, insurance beneficiary, or dependent insurance coverage and any other related information for employment, payroll or benefit administration purposes. Accurate and correct information is vital for benefits and insurance coverage, records and other School files. If any of your information changes in this regard, promptly notify the business office.

### Orientation

New employees will receive basic orientation to the school and its facilities. They will also receive a copy of the Employee Handbook, HR Passport, and selected School Policies and are required to read it and ask clarifying questions. The employee must sign a receipt and acknowledgement of the employee handbook and policy manual.

### Job Classifications

Employees are classified in one of two major categories: "Exempt" and "Non-exempt."

1. Exempt: In a school, exempt employees are generally salaried and fall into one or more of the following three classifications: professional (instructional), administrative, and degreed or licensed support staff (bachelor's degree minimum). These employees are exempt from the applicable provisions of state employment law and federal law, including the Fair Labor Standards Act (FLSA).
2. Non-exempt: non-exempt employees are generally part time and/or paid hourly. However, they may also be placed on a monthly salary subject to time-clock requirements. Non-exempt employees are eligible to receive overtime pay in accordance with FLSA. These employees are required to submit a time record for each pay period, approved by the appropriate supervisor, for the purpose of tracking hours worked and calculating compensation. The school employs persons to perform the Essential Job Functions primarily on campus within a defined schedule. Any work performed off campus or outside of regularly scheduled hours must be pre-authorized by the school Director. The school does not authorize or require non-exempt employees to perform work at home or at any other location without the express written pre-authorization of the Director or Principal of the school.

This handbook applies to both Exempt and Nonexempt employees. Employees' job classifications may only be changed by written authorization from the school director.

Employees are also classified within the following three statuses:

1. **Full-time:** any employee that is regularly scheduled to work 30 or more hours a week during the school year. In most cases, regular full-time employees are eligible for standard school benefits, subject to the terms and conditions of benefit plans and Plan Documents. **Part-time:** any employee that is regularly scheduled to work less than 30 hours per week during the school year. Part-time employees are generally not eligible for standard school benefit plans.
2. Temporary, Substitute or On-call (**Temporary Worker**): any employee that has a predetermined start and end date of employment, is hired for a short-term project, fills in or is on-call; or substitutes for



regular full-time or part-time employees and does not have an ongoing set schedule. Temporary, substitute or on-call employees are not eligible for any standard school benefits or any benefits whatsoever other than those legally mandated by law. Temporary, substitute or on-call employees will remain so unless offered permanent employment in writing by the school principal. **Non-Temporary:** Employees without a predetermined end date and who will remain employed until either the employee or the school terminates employment are considered Non-Temporary.

3. **School-Year employees** are scheduled to work a full assignment (whether full or part-time) only when school is in regular session. School-year employees typically work +/-180 scheduled in-session days per year. **Calendar-Year employees** are scheduled to work a full assignment over the entire year, even when the school is not in regular session.

## Visitors

Only authorized staff, students, parents, volunteers, and visitors are permitted at the School's facilities. Visits from friends and family should be kept to a minimum (incidental) and should not occur during school hours. Employees are responsible for the conduct of their guests.

All visitors must enter through the reception area and receive a name badge. Any employee that notices an unauthorized visitor should notify their supervisor immediately.

## Workplace Attire

The School has a professional dress environment. Employees are expected to use good judgment and taste and to show courtesy to their co-workers, students and associates by dressing in a fashion that is presentable, modest, appropriate and consistent with the school's Employee Dress Code policy. Employees found in violation of the Employee Dress Code shall be subject to disciplinary action. *The following attire is unacceptable during the school year:*

- Shorts
- T-shirts
- Hats of any kind
- Flip-flops, casual sandals or open toed/heeled shoes
- Sweatshirts, sweatpants, warm-up suits
- Skirts more than 2" above the knee
- Tight or revealing clothing including bare midriffs, low-cut shirts, low-rise pants
- Clothing with commercial logo larger than a quarter sized coin
- Generally, (commonly) offensive clothing or attire, including words, graphics or other representations
- Pants with visible tears, rips, or holes.
- Excessive cologne or perfume

Employees are to dress in appropriate business attire for meetings with parents, students or vendors at School's campus or other locations.

## Telephone, Cellular Telephone and Electronic Device Use

Landline telephones are provided to enable employees to carry out work assignments in an efficient manner. Personal telephone calls should be kept to a minimum and except for emergencies, be made outside of school hours. Personal toll (long-distance) calls shall not be made at the school's expense. **Employees may not talk or use their cell phones for non-work purposes during work hours except in extreme emergencies.** With the exception of necessary medical devices, employees may not use personal electronic devices that interfere

with their ability to perform essential job functions. Employees who do not have a business need to interact with others may be allowed to use personal electronic devices with the written approval of the school director. Employees must adhere to the Driving Safety section contained herein, including safety policies related to cellular and electronic device use while operating a motor vehicle on school business.

### Voice Mail and **Electronic Mail**

All electronic and telephone communication systems and all communications and information transmitted by, received from, or stored in these systems are the property of school and as such are intended for job-related purposes. Personal use should be kept to a minimum. Electronic or telephone communication systems may not be used to transmit messages that may be considered inappropriate under School's policies, including the Network Use Policy. Employees are not permitted to download a file, use a code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from an authorized school representative. All pass codes are the property of school and may be used by School to access electronic and telephone communications at any time. School reserves the right to monitor any electronic, telephone, or other communications made using School systems or property. Employee emails using School's email domain or accessed or stored on School's computer or network are public records and will be provided to any member of the public that requests them consistent with public records laws and rules.

### Electronic Assets Usage

The school recognizes that use of the Internet has many benefits for the school and its employees. The Internet and e-mail make communication more efficient and effective. Therefore, employees are encouraged to use the Internet appropriately. Unacceptable usage of the internet can place the school and others at risk.

The following guidelines have been established for using the Internet and e-mail in an appropriate, ethical and professional manner:

- The school internet and e-mail access may not be used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature, or materials that are obscene or pornographic. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, or sexual preference shall be transmitted. Harassment of any kind is prohibited.
- Disparaging, abusive, profane, or offensive language; materials that would adversely or negatively reflect upon the school or be contrary to the school best interests; and any illegal activities – including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet or e-mail – are forbidden.
- Copyrighted materials belonging to entities other than the school may not be transmitted by employees on the school's network without permission from the copyright holder. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only. If you find something on the internet that may be interesting to others, do not copy it to a network drive. Instead, give the URL (uniform resource locator or "address") to the person who may be interested in the information and have that person look at it on his/her own.
- Do not use the system in a way that disrupts its use by others. This includes, but is not limited to, excessive sending, receiving, streaming, uploading, downloading, or "spamming" (sending e-mail messages to thousands of users).
- The Internet is full of useful programs that can be downloaded, but some of them may contain computer viruses that can extensively damage our computers. Be sure to virus-check downloaded files immediately. Instructions on how to check for viruses are available through the School's IT Department. Also, many browser add-on packages (called "plug-ins") are available to download. There is no guarantee that such will be compatible with other programs on the network and such

- may cause problems; therefore, please refrain from downloading such plug-ins.
- Each employee is responsible for the content of all text, audio or images that he/she places or sends over the School's Internet and e-mail system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. Also, be aware that the School's name is attached to all messages so use discretion in formulating messages.
  - **E-mail is not guaranteed to be private or confidential.** All electronic communications are School property. Therefore, the School reserves the right to examine, monitor and regulate e-mail messages, directories and files, as well as Internet usage at any time, with or without notice. Also, the Internet is not secure so don't assume that others cannot read or possibly alter your messages.
  - Internal and external e-mail messages are considered business records and may be subject to discovery in the event of litigation. Unless a message is legally defined as a Protected Record, messages (in their entirety) may be accessed by a member of the public through the Government Records Access Management Act (GRAMA). Be aware of this possibility when sending e-mail within and outside the School.
  - **Access to personal social media accounts while working with students is prohibited and subject to discipline at the director's discretion.**

All school-supplied technology, including computer systems, mobile or electronic devices, and school-related work records, belong to the school and not the employee. The school routinely monitors usage patterns for its e-mail and internet communications. Although encouraged to explore the resources available on the internet, employees should use discretion in the sites that are accessed.

All employees are required to know and understand all provisions related to student privacy and their responsibility to protect Personally Identifiable Information from insecure electronic transmission.

Since the entire computer systems and software, as well as the e-mail and internet connection, are school-owned, all school policies are in effect at all times, even when a computer is connected to a personal or public network or used away from campus. Any employee who abuses the privilege of School-facilitated access to e-mail or the Internet, may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including termination of employment. Any file stored on or sent to or from a school-owned computer or network is school property and may be accessed at any time by the school or by the public through a public records request.

## Use of School Vehicles

The School may purchase vehicles to facilitate its business. All School employees must be expressly authorized in writing to drive school-owned vehicles. Approved employees shall be properly licensed for the type of driving they will perform for the School (Class D driver's license, CDL, with endorsements, etc.). All authorized drivers must purchase and provide a copy of their current Motor Vehicle Report (MVR) report from the Utah Department of Public Safety and successfully pass a Defensive Driver Course (available at [risk.utah.gov](http://risk.utah.gov)) at the time of approval and thereafter as requested. *All approved drivers must report incidents, accidents or citations without delay to authorities and the School whether occurring in School or personal vehicles.* In addition, drivers are required to report maintenance needs and vehicle or property damage to their supervisor immediately. Failure to meet or maintain acceptable driving standards may result in loss of driving privileges or disciplinary action up to and including termination of employment.

## Mileage Reimbursement

School personnel are **encouraged to request car rentals at a minimum of a week in advance** through the business office. In the event employees are **approved to use personal vehicles**, the School will reimburse employees at State of Utah mileage reimbursement rates for miles traveled by the employee in the

employee's car while traveling on approved or assigned school business. A reimbursement form must be completed within 30 days of return from travel. All travel shall be authorized by the director either verbally or in writing within approved board budgets. In addition, parking fees and tolls paid are reimbursable if properly supported. Employees must refill the rental vehicle with fuel prior to return. Gateway Preparatory Academy shall not reimburse for moving violations or parking tickets.

Employees who travel out of state travel with itineraries booked through school administration, except as otherwise approved. Under certain circumstances, employees may be required to use a personal credit card for hotel and/or vehicle rental. Employees may not use public funds to pay for (or submit for reimbursement) personal expenses while traveling for Gateway Preparatory Academy.

Travelers may receive reimbursement for meals they purchase during approved travel according to the following schedule for travel outside of Cedar City and at least 45 miles from Gateway's primary facility:

If traveling between 6 and 10 AM, an allowance of \$11 for breakfast  
If traveling between 11 AM and 2 PM, an allowance of \$15 for lunch  
If traveling between 4 PM and 8 PM, an allowance of \$25 for dinner  
If traveling between 6AM to 8PM, an allowance of \$45 per day

Travelers will be reimbursed for actual expenses, including tax and gratuity, for meals when traveling during the entire time frame noted above up to the dollar limits listed. Travelers should exercise good judgment and keep meal expenses as low as reasonably possible. Meal reimbursement will not be given for meals that are included in the registration or participation cost of any conference, meeting, or event associated with approved travel nor for meals that are included in the cost of accommodations. The amounts for non-travel related meals are approved by the board at a public board meeting and in conjunction with the annual approval of the school's operating budget.

The school will not fund any travel expenses which are unrelated to the approved travel purpose. School travelers will be required to reimburse the school for travel charges which are unrelated to the travel purpose or which are determined to be excessive.

## Driving Safety

The safety and well-being of our employees is of critical importance to the organization. Therefore, each of us have a responsibility to not only protect ourselves when on the road but also should do our part to protect those around us. Employees are not to drive a personal vehicle for School business unless authorized to do so. If the job requires an employee to operate his/her personal vehicle, then the employee shall be required to submit proof of a current and valid state driver's license, vehicle registration, and proof of adequate insurance. If employees use their own vehicle, either by authorization or requirement, to carry out the business of the School, they must submit a photocopy of the cover page of their insurance policy covering that vehicle as proof of that insurance.

Insurance must be maintained current as a term and condition of continuing employment for that particular position. Personal vehicle insurance policies are primary coverage on all personal vehicles driven on School business.

Employees that are required to drive on School business will be expected to consistently follow all the safety procedures below.

1. All employees are expected to wear seat belts at all times while in a moving vehicle being used for School business, whether they are the driver or a passenger. An exception is traveling in a

registered DOT/UHP inspected school bus where current law provides no requirement for seat belt use other than the driver and specified other seats.

2. Use of handheld cell phones, whether personal or business-owned, smartphone-enabled or not while operating a vehicle for School purposes is strictly prohibited by this policy and against the law (unlawful) in most circumstances. This includes making or receiving phone calls, sending or receiving text messages, sending or receiving emails, all App usage, browsing/downloading information from the web and any other activity using a handheld cell phone or other electronic device requiring the use of a person's hands while driving. If you need to engage in any of these activities while driving, you must pull over to a safe location and stop your vehicle prior to using your cell phone.
3. Employees are required to turn off cell phones/put them on vibrate and put them down before starting a vehicle being used for School business. Employees may consider creating a voicemail message to inform callers that they are unavailable to talk while driving on School business. Employees are permitted and encouraged to communicate this policy with parents, peers, and business associates as an explanation as to why calls may not be immediately returned.
4. Although use of cell phones under any circumstances is strongly discouraged while driving, the lawful use of hands-free technology may be warranted in emergency circumstances only.
5. The use of any other handheld electronic devices, such as tablets (i.e. iPads, iPods, Kindles, etc.), laptops, electronic readers, GPS devices, and the like are strictly prohibited while driving a vehicle on School business.
6. Engaging in other distracting activities including, but not limited to the use of ear buds, eating, putting on makeup, changing clothing or reading is also forbidden while driving on School business, even when in slow-moving traffic. Drivers must be alert and attentive *at all times* while operating a vehicle on School business.
7. Use of alcohol, drugs or other substances, including certain over-the-counter cold or allergy medications that in any way impair driving ability is prohibited while operating a vehicle on School business.
8. All employees are expected to follow all driving laws and safety rules such as adherence to posted speed limits and directional signs, use of turn signals, seat belts and avoidance of confrontational or offensive behavior while operating a vehicle on School business.
9. School employees should never allow anyone to ride in or on any part of a vehicle not specifically intended for passengers (the bed of a pickup, standing on running boards, on top of any part of a vehicle, the trunk or hatch) and/or any seat that does not have a working seat belt.
10. School employees must promptly report any accidents while on School business (no matter how minor) *to local law enforcement* as well as to the School in accordance with established procedures. Remember—all accidents, no matter how minor, must be reported to local authorities and the School.
11. Employees are required to report any moving violation (citation) or parking violation received while driving on School business and/or in School vehicles. In alignment with Utah Educator Professional Standards (R277-515), Drivers are required to report to the School significant citations received while operating a vehicle at any time (including for personal use) such as Driving Under the Influence (DUI), reckless driving, etc.

Failure to adhere to these procedures may result in disciplinary action up to and including termination of employment.

### Automobile Accident

If an employee is involved in an automobile accident while on School business (personal or School car) he/she *must report the accident to local authorities and his/her supervisor or manager immediately*. Employees should request and obtain a copy of a police report at the scene of the accident.

### Use of School Property

All school workspace, including file cabinets and lockers are the property of the School and must be available to management at all times. The use of personal locks on any school property is strictly forbidden and will be removed, destroyed, and discarded. No school property may be used to store personal files or items except incidental personal effects. No school equipment, including computers, photocopiers or printers may be used for personal business. The School retains the right to inspect (search) all school-owned items at any time, with or without cause and with or without notice.

### Work-Product and Purchased Materials

Employees neither gain nor retain ownership rights to the material provided, purchased or used by them using school funds while employed by the school. They neither gain nor retain ownership rights to the material, intellectual property or work-product created by them in conjunction with any school duty or project during or after employment at the school. For work-products created by employees while employed by the school, the school retains ownership of that work-product even after the employee's employment ends. The school may use the results of employees' efforts (work product) in any manner appropriate including licensing such work product to others with or without remuneration to employees. Upon termination, or earlier when requested, employees must return all materials provided to them or purchased by them with school funds during employment. Employees who fail to return all materials and supplies, or who retain the school's intellectual property or work-product upon termination of employment for any reason (any separation) may be subject to criminal charges.

Employees who have developed creative works, authored or developed intellectual property prior to their employment with the School that is related to the job functions for which they are hired must disclose such works or property at the time of employment. Employees may be required to provide evidence of such creative works or intellectual property.

### Postage, Shipping and Office Supplies

Postage, shipping and office supplies paid for by the school are for business purposes and are not to be used for an employee's personal business.

### Personal Property

School does not assume responsibility for any personal property located or stored on campus, on the premises, in school buildings, in school vehicles or in personal vehicles. Employees are to use their own discretion when choosing to bring personal property on premises or into the school and do so at their own risk. Additionally, employees may not bring or display in the school any property that may be viewed, in administration's judgment, as creating a hostile or harassing work environment.

### Personal Safety

The safety of each employee's health and security is very important to School. Employees are required to report hazardous or dangerous situations and are subject to disciplinary action, up to and including termination of employment for failure to report such situations. The School is willing to make reasonable efforts to address an employee's safety concerns. Employees should remember to use caution and good judgment in all activities and should notify a member of administration or a human resource representative if they believe there is a safety issue that should be addressed.

School policy requires the use of Personal Protective Equipment (PPE). It is expected that all employees working for the School will always take appropriate personal safety measures and precautions to minimize the risk of injury to self and others while performing Essential Job Functions or other duties as required. The

school budget provides for such PPE. The School has procured safety materials and supplies for this purpose and stores them in the custodial and maintenance closets and/or storerooms for employee, student, volunteer or visitor use. Employees or others who do not use appropriate PPE put themselves and others at risk of injury or death and violate School policy. An employee's failure to use PPE may result in employee discipline or termination of employment.

## Parking

Employees may park in designated parking stalls as directed by School administrators, **primarily in the east parking lot unless approved by administration.** The School provides employees with parking at no cost. All parking is at employees' own risk. It is recommended that employees lock their cars and take other appropriate safeguards. Employees are not to park in areas reserved for visitors, along curbs or in fire lanes.

## School Security

Employees issued keys (and other means of access, including **door access card**) to the school facility for entrances, offices, classrooms, storage rooms, padlocks or cabinetry are issued those keys upon certain conditions.

Employees must notify the school immediately if issued keys or key **door access card** are lost or stolen. There is a \$5 per item charge for replacement keys or **door access card**. Employees may not loan keys or other access devices including **door access cards** to any other person. Access to and use of the school is for business purposes only. Personal use of the school or its various facilities and furnishings without prior written consent is prohibited. Employees may not use or provide access to the building for activities that are illegal or are prohibited by school policy or by school administration. Employees may not make additional copies of keys without express written permission by authorized persons.

Employees are responsible for the activities of any person(s) without regular access whom an employee allows access to the school. Employees are to ensure the security of the building by locking doors, etc. if accessing it outside of normal business hours. Employees are responsible to secure all access points (regardless of access point(s) used for entry) and arm the alarm system if they are the last to leave. Employees are given access with the express agreement that employees will be held liable for any damage, theft, or vandalism that occurs because of a failure to secure the building or because of others whom the employee allows access to the school.

Any employee who abuses the privilege of accessing the building will be subject to corrective action, up to and including termination of employment, legal action, and criminal liability.

## Food and Beverages

**The School's campus should always reflect a professional appearance. All employees are personally responsible for keeping the area in and around their classroom or work area clean and presentable. Employees are also responsible for returning meeting or workroom areas to a clean and presentable condition after use.** To avoid attracting pests (spiders, bugs & rodents), food and beverages should be stored and consumed in areas designed for that purpose and not in classrooms. Staff members are permitted to drink beverages in secured-lid containers in classrooms in a manner that does not interfere with work performance. Employees may be required to reimburse the School if beverages spilled by them damage School equipment, including laptop computers or other electronic devices.

## Monitoring and Searches

All property on School grounds is subject to monitoring and review at all times. This includes, but is not limited to, desks, lockers, parcels, vehicles, computers, electronic devices, email and any other electronic

transmission using school equipment or services. Reasons for searches and reviews include, but are not limited to, improper and/or unauthorized use of school property, suspected criminal activity, criminal investigation, harassment investigation and improper disclosure of confidential information.

The School retains the right to conduct searches at any time within applicable law. This includes the right to search any school-owned computer or any file stored on a school-owned computer, even if protected by a password. Employees are required to provide any password to any school-owned computer or file stored on a school-owned computer when requested by a supervisor. Any employee that attempts to obtain or alter a password for the purpose of accessing restricted files, or who refuses to provide a password when requested, will be subject to disciplinary action, up to and including termination.

## Confidential Information

Employment at the school requires access to information that is confidential or otherwise considered by the federal government, state government, school, community, parents, guardians or students to be privileged and confidential (Confidential Information). Confidential Information may be received and maintained by staff under a *promise of confidentiality* to perform many Essential Job Functions while employed at the school.

The rule of thumb to remember is that all information gathered by, retained or generated by the School is confidential. There shall be no disclosure of any confidential information or trade secrets to anyone outside the School without the appropriate authorization. Confidential information may include student information, internal reports, policies, procedures and other internal business-related communications. Trade secrets may include information regarding the development of systems, processes, products, design, instrument, formulas and technology. In addition, always respect financial disclosure laws and third-party intellectual property. Because we are a public school, employees must protect personal information of students consistent with Utah Educator Professional Standards (R277-515) and as required under the Federal Education Rights Privacy Act and the Utah Student Privacy Act.

It is an employee's duty and responsibility to safeguard all confidential information. This includes the dissemination of information by any available means, including but not limited to physical (paper) records, verbal records (conversations/verbal reports), electronic records of any kind, computer, mobile device, telephone, fax and email records. Confidential information shall be disclosed and/or discussed only on a "need to know" basis. Conversation of a confidential nature must never be held within earshot of the public or clients.

When any inquiry is made for confidential information, an employee must forward the inquiry to the appropriate supervisor or manager to process—without the employee responding (disclosing confidential information) to the requestor. This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications. In addition, nothing in this policy is intended to infringe upon employee rights under Section Seven (7) of the National Labor Relations Act (NLRA).

## Archiving, Data Destruction and Recycling

School policy is to maintain compliance with state or federal records retention laws or state government rules as outlined by the Utah State Archives ([archives.utah.gov](http://archives.utah.gov)).

All employees must not discard documents containing confidential or personally identifiable information (student or staff information) into standard waste receptacles. The School provides shredders or contracts for secure shredder services to dispose of all documents with personally identifiable information. Employees who dispose of documents into unauthorized receptacles or allow documents with personally identifiable information to become unsecure, lost, or stolen due to the neglect of the employee will be subject to disciplinary action, up to and including termination of employment.



The School is committed to preserve the environment through recycling. Employees, students and visitors have the opportunity to recycle many items including paper, plastic and aluminum in bins located throughout the school.

### Non-Solicitation

During the period of your employment and for a period of twelve (12) months after the termination of your employment with School, you shall not, directly or indirectly, (i) solicit for employment or employ any person who was employed by School during your employment with School, and is currently an employee of the School; or (ii) call on, solicit, or take away for yourself or for any other person or entity any person or entity who or which was an enrolled student or family of School during your employment with School.

### Competing Employment

You may work for other businesses during the course of your employment with School; however, you may not (i) accept or perform work of a nature that conflicts or competes in any way with the services of School; (ii) use any School resources including, but not limited to, materials and supplies, intellectual property, computer hardware and software, telephones, facsimile machines, and copiers, for or in connection with any non-School work; (iii) perform any non-School work on School premises; (iv) perform any non-School work during assigned work hours; or (v) interferes, in the administration's judgment, with your ability to perform your work duties at the school.

### Employment of Relatives

Employment of relatives is not prohibited by the School, provided that the following conditions are met: (i) the applicant is qualified for the position, (ii) the position was advertised publicly and filled following standard hiring procedures, (iii) the employee and relative will not be in a direct reporting relationship with one another and (iv) the personal relationship will not adversely affect the workflow or processes of the school. The School shall supervise and manage all employees in the best interest of the School, regardless of family relationships, up to and including termination of employment. Employees who are relatives of employees who resign or for whom employment is terminated shall not be discriminated against for the independent actions of their relatives who are former employees of the School. All employees, regardless of familial relationships, are expected to act in a professional manner in accordance with school policies.

### Whistleblower Protection

If any employee or contracted employee reasonably believes that some policy, practice, or activity of the School or action of another employee, officer, or contractor is in violation of law, a written complaint must be filed by that employee with the School Director or Principal or the Board President. This may include actual or suspected existence of fraud, embezzlement or similar impairment of School funds or property, suspicious persons or activities or actual or suspected material or intended fraudulent reporting.

It is the intent of the School to adhere to all laws and regulations that apply to the organization and the underlying purpose of this policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of the School and provides the School with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

The School will not retaliate against an employee who in good faith, has made a protest or raised a complaint against some practice of the School or actions of another individual or entity with whom the School has a

business relationship, on the basis of a reasonable belief that the practice is in violation of law, or a clear mandate of public policy.

The School will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy, or practice of the School that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment.

## **Standards of Conduct**

The School expects all employees to conduct themselves in a professional and ethical manner, consistent with state and federal laws and educator standards established by Administrative Rules of the Utah State Board of Education (USBE) and other state agencies. If employees are not sure if an action is ethical or proper, they should discuss the matter openly with their supervisor or the school principal. An employee should not conduct business that is unethical in any way, nor should an employee influence other employees to act unethically. Furthermore, an employee should report any dishonest activities or damaging conduct to an appropriate supervisor.

In the event that you become aware of another employee's behavior or actions, which you believe are inappropriate, illegal, problematic, or in any way inhibit or affect your job performance or the School's work environment, you should discuss such behavior or actions with the Principal, your supervisor or following School policy and procedures, the Board of Directors.

School will promptly, thoroughly and confidentially investigate all reasonable concerns and, where necessary, appropriate corrective action will be taken. You may not discuss such actions or behavior with other School employees except as directed by School. Your discussing such matters with other employees may – in and of itself – create an unacceptable work environment for which you will be held responsible and for which you may be disciplined in accordance with the School's disciplinary policy.

Orderly and efficient operation of the School requires that employees maintain proper standards of conduct and observe certain procedures. Federal, State laws, and USBE Rules provide guidance on standards of conduct for all employees in public Gateway Preparatory Academy's. *Nothing herein is intended or shall be construed to change or replace, in any manner, the "at-will" employment relationship between the School and the employee.* The School views the following as inappropriate behavior. These guidelines are not intended to be all-inclusive:

1. Negligence, carelessness or inconsiderate treatment of persons within the school community (students, parents, peers, school leaders, vendors, etc.).
2. Willfully or carelessly damaging, defacing or mishandling property of a student, family, the School, or employees.
3. Theft, misappropriation or unauthorized possession or use of property, documents, records or funds belonging to the School, or any student, parent or employee. Removal of same from School premises without authorization.
4. Divulging confidential information, of any kind, to any unauthorized person(s) or without an official need to know.
5. Obtaining unauthorized confidential information pertaining to students, families or employees.
6. Changing or falsifying School records, personnel or pay records, including time sheets without justification and authorization.
7. Taking or giving bribes of any nature, or anything of value, as an inducement to obtain special treatment, to provide confidential information, or to obtain a position. Acceptance of any gratuities or gifts may be illegal and must be reported to a supervisor or manager.
8. Entering School premises or using School facilities or equipment without authorization while off-duty, or during out-of-session time.

9. Willfully or carelessly violating security, safety, or fire code practices/regulations.
10. Unauthorized use of a personal vehicle for School business.
11. Rude, discourteous or un-businesslike behavior; creating a disturbance on School premises or creating discord with students, families or fellow employees; use of abusive language.
12. Insubordination or refusing to follow instructions from a supervisor or manager; refusal or unwillingness to accept a job assignment or to perform job requirements. Failure to follow instructions may result in disciplinary action up to and including termination of employment.
13. Failure to observe scheduled work hours, failure to contact a supervisor or manager in the event of illness or any absence within thirty (30) minutes of the scheduled start of work; failure to report to work when scheduled; unauthorized or excessive use of sick leave or any other leave of absence.
14. Leaving the office during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
15. Sleeping or loitering during regular working hours or scheduled work time.
16. Recording time for another employee or having time recorded to or by another employee on your behalf.
17. Use or possession of intoxicating beverages or illegal use or possession of narcotics, marijuana or prescription or over-the-counter (OTC) drugs (under state, federal or local laws), on School premises during working hours or reporting to work under the influence of intoxicants or drugs so as to interfere with job performance. Having any detectable amounts of illegal drugs (including the illegal consumption of OTC or prescription drugs) in an employee's system. The school reserves the right to require employees suspected of being under the influence of a substance that may be impairing an employee's ability to perform Essential Job Functions in a safe, coherent and orderly manner to submit to drug and/or substance testing as a condition of and for continued employment at the School.
18. Unlawful possession of a weapon on School premises.
19. Illegal gambling on School premises.
20. Soliciting, collecting money, vending, and posting or distributing bills or pamphlets on School property. These activities are closely controlled in order to prevent disruption of School services and to avoid unauthorized implication of School sponsorship or approval. *However, this general rule is not intended to hinder or in any way curtail the rights of free speech or free expression of ideas.* Therefore, such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the orderly and regular conduct of the School business, is lawful, in good taste, conducted in an orderly manner, and does not create safety hazards or violate general good housekeeping practices. Any person who is not an employee of the School is prohibited from any and all forms of solicitation, collecting money, vending, and posting or distributing bills or pamphlets on School property at all times. The School reserves the right to limit or stop solicitation activities that disrupt the School community in any way.
21. Falsification of one's employment application, insurance or benefit forms, or employment history.
22. Consistent with state law, the School reserves the right to choose not to employ persons whom any employment action was taken or discipline imposed for the physical abuse or sexual abuse of a child or student.
23. Illegal or unprofessional conduct, on or off School premises, which adversely affects the School, property, reputation/goodwill in the community, or interferes with an employee's ability to serve as a role model for youth, having care for or custody over children, as defined in state law, administrative rules and school policies. *Employees must understand that according to state law and administrative rules, an employee's behavior off campus, in an employee's personal life, may result in disciplinary action at School up to and including termination of employment.*

## Ethics Policy

Our School conducts its business fairly, impartially, in an ethical and proper manner, and in compliance with all laws and regulations. We are committed to conducting its business with integrity underlying all

relationships, including those with students, parents, staff, suppliers and the school community. The highest standards of ethical conduct are required of our employees in performance of their duties. Employees will not engage in conduct or activity that may raise questions as to the School's honesty, impartiality or reputation or otherwise cause embarrassment to the School. Employees will avoid any action, whether or not specifically prohibited in the personnel policies, which might result in or reasonably be expected to create an appearance of:

Using your position for private gain.

Giving preferential treatment to any person or entity.

Adversely affecting the confidence of the public in the integrity of the School.

Every employee has the responsibility to ask questions, seek guidance, report suspected violations and express concerns regarding compliance with this policy. The school will maintain a program to communicate to employees its commitment to integrity and uncompromising values. The program will inform employees of policies and procedures regarding ethical conduct and assist them in resolving questions and in reporting suspected violations. Retaliation against employees who use these reporting mechanisms to raise genuine concerns will not be tolerated.

The principal or director is responsible for providing policy guidance and issuing procedures to assist employees in complying with the School's expectations of ethical conduct and uncompromising values. This policy constitutes the standards of ethical conduct required of all employees.

### Conflicts of Interest

The School and its employees have a duty to avoid real, perceived or potential conflicts of interest. A conflict of interest is defined as an event or transaction where an employee is in a position to influence a decision or have business dealings on behalf of the School that might result in personal gain for the employee and/or one of their relatives. Examples of conflict of interest include, but are not limited to, accepting gifts of any value associated with procurement or other business dealings, requesting or granting favors, conducting undisclosed or undeclared business for personal gain. A conflict of interest for personal gain can result from situations where you or a relative receives a bribe, gift, special consideration or kick-back as a result of a transaction involving the School.

School employees may not transact undisclosed business when a conflict of interest is present. Failure of an employee to declare a conflict of interest in writing to the School Director, business office and/or the Governing Board prior to business dealings where a conflict of interest is present may be subject to disciplinary action, up to and including termination of employment and may be subject to criminal prosecution. All School employees shall follow applicable laws or administrative rules associated with conflicts of interest.

### Business Gifts

The School wants at all times to avoid the appearance of impropriety in the acceptance of gifts from business contacts or clients. It is the express policy of the School that employees are prohibited from, either directly or indirectly, asking, demanding, exacting, soliciting, or seeking, anything of value for oneself or for any other person or entity.

It is the express policy of the School that employees are prohibited from, either directly or indirectly, accepting, receiving, or agreeing to receive anything of value for oneself or for any other person or entity (other than employee paychecks from the School) for or in connection with any transaction or business of the School that is unlawful, or has a value of \$10 or more, not to exceed \$50 from a single individual (including a company or vendor) in a calendar year. If an employee is promised, offered, or given anything

of value from any member, prospective member, customer, or prospective customer for or in connection with any transaction or business of the School, employees are to advise their supervisor or manager at once.

## Unlawful Harassment and Sexual Harassment

School will endeavor to maintain a work environment that nourishes respect for the dignity of each individual and affirms its commitment to provide a work environment free from intimidation and harassment. Unlawful harassment and sexual harassment are prohibited behavior and are against School policy. The School is committed to providing a work environment free of inappropriate and disrespectful behavior, intimidation, communications and other conduct directed at an individual, including conduct that may be defined as sexual harassment.

### Unlawful Harassment

Prohibited harassment on the basis of race, color, religion, national origin, ancestry, physical or mental disability, veteran status, age, or any other basis protected under local, state or federal law, includes behavior such as:

- Verbal conduct such as threats, epithets, derogatory comments, or slurs;
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures;
- Physical conduct such as assault, unwanted touching, or blocking normal movement;
- Retaliation for reporting harassment or threatening to report harassment.

### Retaliation

It is against School policy and unlawful to retaliate in any way against anyone who has lodged a harassment complaint, has expressed a concern about harassment, including sexual harassment, or has cooperated in a harassment investigation. Therefore, the initiation of a complaint, in good faith, shall not under any circumstances be grounds for disciplinary action. However, individuals who make complaints that are demonstrated to be intentionally false may be subject to disciplinary action, up to and including termination.

### Sexual Harassment

Applicable federal and state law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when:

1. Submission of the conduct is made a term or condition of employment.
2. Submission to or rejection of the conduct is used as the basis for employment decisions affecting the individual.
3. The conduct has the purpose or effect of unreasonably interfering with the employees work performance or creating an intimidating, hostile, or offensive working environment.

The following list contains *examples* of prohibited conduct. They include, but are not limited to:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters.
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress.

- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations.
- Physical conduct such as touching, assault, or impeding and/or blocking movements.
- Retaliation for reporting harassment or threatening to report harassment.

Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for the School, such as students/family members, relatives of family members or vendors.

### Enforcement

All managers and supervisors are responsible for:

- Implementing the School policy on harassment, which includes, but is not limited to, sexual harassment and retaliation.
- Ensuring that all employees they supervise have knowledge of and understand the School policy.
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and.
- Conducting themselves in a manner consistent with the policy.

### Harassment Complaint Procedure

The School's Complaint Procedure provides for an immediate, thorough and objective investigation of any claim of unlawful or prohibited harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment, and appropriate remedies for any victim of harassment. A claim of harassment, or harassment may exist even if the employee has not lost a job or some economic benefit.

Anyone who has been subjected to conduct prohibited under this policy, or who has knowledge of such conduct, should report this information to his/her manager, any other manager with the School, to the school principal, the business office (human resources) or, following appropriate procedures, the School Board President without delay. However, employees are not required to report any prohibited conduct to a superior who is the alleged offender, hostile, who has engaged in such conduct, who is a close associate of the person who has engaged in the conduct in question or with whom the associate is uncomfortable discussing such matters. Complaints regarding harassment or retaliation may be oral or in writing. If an oral complaint is made, the person reporting (the victim, another employee or person) may be required to provide a written statement as part of an investigation. Any individual who makes a complaint that is demonstrated to be intentionally false, may be subject to discipline, up to and including termination.

All reported incidents of prohibited harassment will be promptly investigated. When the investigation is complete, a determination regarding the reported harassment will be made and communicated to the employee who complained and to the accused harasser. During the investigation, confidentiality will be preserved to the fullest extent possible without compromising the School's ability to conduct a good faith and thorough investigation.

If the School determines that prohibited harassment has occurred, the School will take effective remedial action commensurate with the circumstances. Appropriate action will also be taken to deter any future harassment. If a complaint of prohibited harassment is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

The School recognizes that actions that were not intended to be offensive may be taken as such. An employee who believes that he or she has been subjected to sexual harassment by anyone is encouraged to promptly tell the person that the conduct is unwelcome and ask the person to immediately stop the conduct. A person who receives such a request must summarily comply with it and must not retaliate against the employee for

rejecting the conduct. *The School encourages, but does not require, individuals to take this step before utilizing the above Complaint Procedure.*

## Anti-Bullying

In addition to the School's anti-harassment policy, the School believes it necessary to delineate a policy regarding workplace bullying. Workplace bullying has numerous negative effects on both individual employees and the School as a whole. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale, create a hostile work environment and increase legal risks.

The School believes all employees should be able to work in an environment free of bullying. Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which are intended to intimidate, degrade, humiliate or undermine; or which create a risk to the health or safety of the employee(s). Some examples of workplace bullying include repeated acts such as:

- Unwarranted or invalid criticism
- Blame without factual justification
- Being treated differently than the rest of the employees in a work group
- Being the target of cussing or disrespectful language
- Exclusion or social isolation
- Being the target of shouting or other behavior intended to humiliate the employee
- Excessive "prank" jokes or teasing of an employee

The School considers workplace bullying unacceptable and will not tolerate it under any circumstances. Supervisors and managers are to assume the responsibility to ensure employees are not bullied. Any employee who bullies a co-worker will be subject to disciplinary action, up to and including termination of employment.

The School encourages all employees to report workplace bullying to a supervisor or manager with whom employees are comfortable speaking, or directly to his/her supervisor, manager or designee. All complaints of workplace bullying will be treated seriously and investigated promptly. In the investigation process, the School will attempt to maintain confidentiality to the fullest extent possible.

It is a violation of School policy to retaliate or otherwise victimize an employee who makes a complaint or a witness who serves in the investigation of the workplace-bullying allegation.

## Safe School Environment

The school strives to provide a safe and nurturing learning environment for students and staff. With regard to providing a safe school environment:

1. Employees are expected to maintain a high ethical and professional standard in interactions with both adults and minors on and off campus. Employees understand that working in a school means that, consistent with state law and administrative rules, employees serve as a role model for youth and have care for or custody over children. Employees' behavior off campus has an effect on an employee's employment because of the nature of being in the profession of caring for and having custody over children.
2. Employees are prohibited from using physical discipline in any way (including corporal punishment) for the behavior management of students, except insofar as restraint may be necessary, upon reasonable determination, to prevent a student from inflicting harm on themselves or others, in which case a detailed written record of the incident must be made.

3. All employees must comply with state and federal law and administrative rules of the USBE including specific rules prohibiting Boundary Violations of an inappropriate nature. A Boundary Violation means crossing verbal, physical, emotional or social lines that an employee must maintain at all times—it means an inappropriate relationship with students. Boundary Violations may include:
  - a. Isolated, one-on-one or small group interactions with students.
  - b. Meeting with students in rooms with covered or blocked windows.
  - c. Telling risqué jokes to, or in the presence of students.
  - d. Employing favoritism to a student.
  - e. Giving gifts to individual students.
  - f. Writing inappropriate personal notes to individual students.
  - g. Employee-initiated frontal hugging or other unwanted touching.
  - h. Photographing students for non-educational purposes.
  - i. Inappropriate or unprofessional contact outside of educational program activities.
  - j. Exchanging personal info, phone numbers, e-mail or personal social media interactions with a student for non-educational purposes.
  - k. Interacting privately with a student(s) through social media, computer or handheld devices.
  - l. Discussion of an employee’s personal life or personal issues with a student.
  - m. Grooming.
  - n. Other activities causing inappropriate Boundary Violations with students.
4. Employees may not allow isolated, one-on-one or small group interactions with students out of the line of sight of others. Employees must schedule one-on-one counseling sessions or meetings with minors in open locations (common areas) and at times and locations that promote accountability. One-on-one or small group interactions with students must be held in an open-room setting *without closed doors or in any isolated location in the school*. An isolated location may include an infrequently traveled hallway, even if the classroom door is open. The location must be readily and frequently observable by others who are near the room, hallway or other area. Extra-curricular activities, after school programs, or special instruction sessions shall not be conducted by only one adult. Employees must meet accepted standards of propriety. Clear professional boundaries must exist between minors and adults—to protect both minors and employees.
5. Employees shall not engage in any form of unlawful, unacceptable or offensive behavior with students, parents/legal guardians, staff or visitors to the school which may include, but is not limited to (a) verbal harassment, such as derogatory comments, jokes, or slurs; (b) visual harassment, such as derogatory or sexually explicit printed material, books, magazines, posters, cards, calendars, cartoons, graffiti, drawings, notes, clothing or gestures, etc.; (c) sexual harassment or other physical conduct or contact of a sexual nature; (d) physical harassment, such as inappropriate touching, hitting, kicking, grabbing or any other form of aggressive, abrasive or harassing physical contact, etc.; (e) other behavior deemed offensive or inappropriate by school administration or generally accepted social standards.
6. Unless the school has a parent or legal guardian’s knowledge and consent in the form of a written permission slip for an official school activity, or an employee is in a formal (personal) carpool with another family at the school, employees shall never drive students in personal vehicles at any time. Employees in a personal carpool with another family are required to disclose the carpool arrangement to the principal/director. When authorized to do so, employees will operate personal or school vehicles in accordance with the law and the Driving Safety section (above). Employees may not use a cellular phone or other electronic devices while transporting students or driving on school business.



7. Employees shall not be alone in locker rooms or other dressing rooms with a single or small group of students without another adult present. Employees may not be present in these areas while students are changing unless student behavioral issues warrant the presence of adults. At least 2 (two) staff members of the same sex (and the same sex of subject students) must be present during these times. Employees may not enter restrooms, locker rooms or dressing rooms of the opposite sex while students are present. School administrators and other staff members are available to assist employees when difficulties arise and employees are required to enter one of these areas. Employees must seek out others for assistance as outlined.

## School Computer Network

To better serve our students and provide our teachers and other employees with tools to do their jobs, the school makes available to employees access to one or more forms of electronic media and services, including computers, software, e-mail, telephones, voicemail, printers, copiers, fax machines, a central computer network, wireless network hardware and transmission devices or service, online services, third-party contracted services and hardware, intranet, Internet and the World Wide Web. These electronic media and services are collectively referred to as the Network.

All employees must know that the resources of the Network provided by the School are the school's property and their purpose is to facilitate and support the school's operations. *The School may retrieve anything on its Network at any time.* All users have the responsibility to use the Network in a professional, ethical, and lawful manner. Each employee will, as a condition of employment, be required to read, agree to abide by and sign the school's Network Use Policy and Agreement.

## Social Media and Online Forums

In general, the School respects an employee's decision to use social networking, for example Facebook, Linked-In, Instagram, Twitter, Web-based email accounts such as Gmail, Outlook, Hotmail and Yahoo! and the like (Social Networking or Social Media) on personal time. Personal use of social media should be reserved for break times and meal periods. Employees shall have no expectation of privacy when they use social media because of the public nature of these types of services. Participating in social media provides public access by all members of the school family, including co-workers, School Administration, staff and families within the School community. Moreover, by utilizing social media via the School's electronic assets (technology, computers or internet access) employees must understand that the School may review and use materials that may be resident on the social media, including passwords, text messages, tweets, email communications, pdf's, other documents and pictures that are sent to employees or reviewed by employees on the social media. No expectation of privacy should occur.

Employees must exercise care to ensure that they are not viewed as representatives of the School and that they do not imply that they are speaking on behalf of the School. To the extent employees are posting comments to social media outside the scope of their employment responsibilities, including an on-line forum, such as a blog, employees may not include any client or School trade secret or confidential information and may not make any statements that would give the impression that the views they have expressed are the opinions of the School. Employees should refrain from posting derogatory information about the School or the School Community on any such sites and proceed with any grievances or complaints through the regular channels. School recognizes that participation in some forums or social networks might be important to the performance of an employee's job. Without express authorization, employees may not post to any on-line forums using any official School email address or providing any School telephone number or extension; may not utilize any of the School's logos, drawings, trademarks, copyrights or other images or photographs of the School or typically associated with the School in conjunction with such activities. Unless authorized by the school, employee participation in such forums is a personal choice of the individual and all commentaries

are authored by the individual and are not official statements of the School. **Commentary made by employees on such forums must always reflect positively on the School.**

Employees who maintain a presence on social media sites or services can be disciplined by the School, up to and including termination of employment if their social networking activities interfere with their ability to fulfill their role as an educator having care for or custody over children, including being a role model to youth. While the School does not seek to prohibit an individual from expressing their beliefs or opinions, or to interfere with an employee's personal life, a career choice as a role model with care for or custody over children warrants a level of personal propriety and decency that if compromised publicly, may result in disciplinary action up to and including termination of employment with the School.

Employees of the School who participate in social networking may not "Friend" (or "friend" equivalent) students or former students who are minors. Employees, including teachers, may not allow students to access their personal social network or social media profile, information or site. With the express written permission by the school principal, purposeful, professional, (exclusively educational) Educational Social Networking (ESN) sites or profiles may be established by *Teachers* for the use of students and school Administrators. Other School employees are not authorized to create ESN social media sites or profiles. Teachers shall only allow students to access ESN sites if the site is completely professional and only contains appropriate information for instructional purposes. Teachers shall "Friend" (or Friend equivalent) the school Director or Principal (and assigns) and/or Board members (Admin) and any other person in the School community desiring access and may not "Unfriend" (or Unfriend equivalent) Admin while they are employed at the School and the ESN site remains active. Teachers shall not disclose anyone's personal information, discuss or post photos of students, colleagues, Administration or the Board on social networking sites without the direct written permission of parents or legal guardians AND the school Director.

Employees must remember that any messages or information sent on any school-provided equipment or any electronic device or service network are identifiable and attributable to the School.

If employees are unsure about whether their social media usage, a message or post may violate a law or School policy, they should speak to their supervisor or manager prior to posting it. Nothing in this policy is intended to infringe upon employee rights under Section Seven (7) of the National Labor Relations Act (NLRA).

### Background Checks, Arrests and Criminal Convictions

The School reserves the right not to hire or retain anyone that has been convicted of a criminal offense. Because of the nature of employment at the School, with employees having care or custody over children, arrest or conviction of a crime that involves sexual misconduct, illegal drug or alcohol abuse, dishonesty or the abuse of another person may result in immediate termination of employment. Before any decision is made, the nature of the crime and circumstances surrounding the conviction will be considered. The School reserves the right to choose not to employ persons whom any employment action was taken or discipline imposed for the physical abuse or sexual abuse of a child or student.

### Drugs and Alcohol

The School is dedicated to providing employees with a workplace that is free of drugs and alcohol. The School discourages drug and alcohol abuse by its employees. The School has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency and success at the School. Employees who have any detectable amounts of drugs or alcohol while on the job compromise School interests, endanger the employee's own health and safety and the health and safety of others. This can cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for coworkers, behavior that disrupts other employees, delays in the completion of jobs, inferior quality in our products and disruption of customer

relations. Any identified usage of drugs or alcohol, or any detectable amount during working hours will be grounds for discipline, up to and including termination of employment.

For the safety of our employees and clients the School reserves the right to test any employee for the use of illegal drugs, marijuana or alcohol under state, federal or local laws. This may be done in cases where the employee's job carries a risk of injury or accident to self or others, due to such use, or there is an apparent inability to perform the duties required of that position. Specific jobs may, at the School's discretion, require regular drug testing. Such a test may be conducted after an accident or with probable cause of impairment while on the job. Under those circumstances the employee may be driven to a certified lab, at the School's expense, for the drug test.

Any employee found to use, sell, possess or distribute any illegal drugs under state, federal or local laws, marijuana, or any unauthorized drugs (including excessive quantities of prescription or over-the-counter drugs) while on the School premises, performing School-related duties, or while operating any School equipment, is subject to immediate disciplinary action, up to and including termination of employment. Any suspected illegal drug confiscated will be turned over to the appropriate law enforcement agency.

### Smoking and Open Flames

Utah law prohibits smoking **and vaping** in all enclosed workplaces or within twenty-five (25) feet of the main entrance, exit, open window, or air intake of a building. The School does not permit smoking **or vaping** in any School buildings, facilities, work sites, or vehicles. Employees wishing to smoke should do so during their break times, outside School buildings, in designated areas, away from playgrounds, and in accordance with local ordinances. Open flames of any kind are not allowed in school buildings. Candle warmers and personal heaters are not authorized for use in school buildings.

### Violence and Weapons

School takes threats of violence extremely seriously. Any act or threat of violence by or against any employee, student, customer, supplier, partner or visitor is strictly prohibited. This policy applies to all school employees, whether on or off school property.

Any possession, use or threatened use of weapons is prohibited on school property, or while on school business. This includes knives, illegally possessed firearms, martial arts weapons, or any other object that is used as a weapon. Any employee caught possessing a weapon will be disciplined, up to and including termination.

## **Payroll and Compensation**

### Payroll Reporting and Pay Stubs

The law requires that the School withhold (deduct) local (as applicable), state and federal payroll-related taxes from all employees' paychecks. Additionally, employees may elect for the School to deduct local, state and/or federal income taxes and other employee benefit premiums, pre or post tax retirement or other elected legally allowable deferrals (deductions). Employees are encouraged to use Direct Deposit. Employees are provided paystubs detailing payroll deductions for each pay period and are required to review these promptly for deduction accuracy and to detect errors. Each employee has the responsibility to review pay stubs for accuracy regarding compensation, reimbursements and deductions for employee medical benefits, medical savings accounts, retirement plans, garnishments, income taxes and any other compensation or deduction for each paycheck received during their employment with the School. The School shall not be held liable for errors not identified timely by the employee other than to rectify compensation or deductions to correct accounting records. The School does not reimburse or loan School funds to employees for the cost of income tax withholding errors not identified timely by employees. Payroll checks will not be released prior

to the set pay schedule for any reason, nor will they be released to anyone other than the employee without written authorization from the employee.

### Paycheck Offsets

The School reserves the right to make paycheck corrections as appropriate and to supply the employee with supporting documentation for paycheck offsets, including overpayments, tax or employee benefit calculation errors; as allowed by law lost, damaged or stolen School property or equipment, as well as court-mandated or otherwise legally required offsets or deductions, such as garnishments to pay debts or other legal obligations of an employee.

### The School Year

The school year (School Year) typically includes 190 compensable days, which include 5 pre-service training days, two post-service days, 180 in-session days. The remaining three days are subject to director discretion. These three days may be used for concert attendance, festival/event participation, and mandatory school trainings during the school year and during the summer. Total compensable days can vary slightly from school year to school year with no effect on monthly or annual compensation. The employee's date of hire is his or her official employment anniversary date. The "anniversary date" for compensation of instructional staff is generally on or around August 1<sup>st</sup> of each year, subject to school discretion. The "anniversary date" for "classified" or administrative employees (all other positions) is either on or around July 1<sup>st</sup> each school year or on the anniversary of an employee's date of employment, subject to school discretion.

### Pay Periods

All employees are paid on the 1<sup>st</sup> day of each month. When a regular pay date falls on a weekend or holiday, employees will be paid on the last business day before the holiday or weekend. When a regular pay date falls during a scheduled break from school (Spring Break, Winter Break, Summer Break, etc.), employees will be paid on the regular pay date explained above. Most full-time administrative staff and teachers are paid year-round as defined in individual Offer Letters, Wage or Compensation Agreements. Most other employees are paid in applicable pay periods when hours are accrued within that period. No expectation of compensation should be made for employees who do not accrue hours within a pay period.

### Hours of Work

School's standard work week for full-time employees is five regular school days with attendance required at 7:30 am until 4:00 pm. The official start of the week is 12:00 AM Monday to 11:59 PM Sunday. Schedules may vary, including the start and end times for the regular school day, and due to extended work days for meetings, conferences, concerts, fairs, professional development, trips and other events typical of the school environment, based on the school's needs. Employees may not deviate from the school's hours of work unless a supervisor specifically approves a request.

### Breaks

The School Director determines appropriate breaks per the School and students' needs. Typically, employees working for more than six consecutive hours are provided with a meal break; employees must clock out during any break. No minor employee (under age 18) shall work more than five consecutive hours without a 30-minute unpaid meal period. Minor employees shall receive a ten-minute break for every three hours worked. Breaks are scheduled consistent with classroom schedules and student lunch and/or recess periods so as not to disrupt the learning environment.

### Lunch

The lunch period is a time for employees to take care of personal issues and to relax and catch their breath from the toils of the school day. **Employees are not permitted to forgo a lunch period to shorten the work day without the permission of their supervisor.** The School provides a 30-minute lunch period for instructional staff and a 30-minute lunch period for administrative and operational staff. Employees needing extra time on their lunch period must receive prior approval from their supervisor.

### Lactation Breaks

In recognition of the well-documented health advantages of breastfeeding for infants and mothers and as part of our family-friendly policies and benefits, the School provides a supportive environment to enable breastfeeding employees to express their milk during work hours, including providing a private room, for up to one (1) year following the birth of a child. Employees may store breast milk in the school refrigerator; however, consistent with the Personal Property section contained herein, the school is not responsible for breast milk stored on premises.

### Time Keeping

Non-exempt employees are required by law and School policy to clock in and out using the school's electronic timesheet. Employees log time-in, time-out and record any non-compensated breaks. It is strictly forbidden for an employee to clock (or otherwise log or sign) another employee in or out. Employees may not change time after it is recorded without administrative approval, nor tamper with their own or any other employee's time records. Falsifying time records is a serious matter subject to disciplinary action, up to and including termination of employment.

### Overtime

It is understood that both exempt and nonexempt employees may be required to work extra hours to accommodate certain deadlines or job requirements. If extended hours are required of non-exempt employees by the School (evidenced by written pre-authorization only), the employee will be compensated in accordance with the law. Non-exempt employees are to be paid time and one-half (1.5) for work time that exceeds 40 hours during a scheduled workweek. Employees asked to work overtime are expected to do so. Employees who work overtime without first obtaining proper written approval may be subject to disciplinary action, up to and including termination of employment. Exempt employees are not eligible for overtime pay.

The calculation of overtime hours will not include holiday, sick leave, vacation days, or leave of any kind during a given scheduled workweek.

### Advances and Loans

The School does not give unearned advances or loans for wages to its employees.

### Compensation Changes

Salary or wage increases are based on merit including several factors such as the performance of essential job functions, work-ethic, attitude and promotion. All salary increases are at the discretion of the school director and the school board and subject to continued government funding.

Salary or wages may also be adjusted downward due to job restructuring, job duty changes, job transfers, and adverse business economic conditions, including decreased local, state or federal funding.

### Bonus Structure

The School may institute or revoke a bonus structure or incentive plan at any time. The School guarantees no bonus plans. Any bonus structure will be determined by the School Director or Principal and the Governing Board and will include some level of performance evaluation and/or achievement data. Employees will receive notice of any additions, subtractions, or changes to any new or existing bonus structure. The school reserves the right to award bonuses to any or all employees gratuitously.

### Expense Reimbursement

School will reimburse employees for reasonable **pre-approved** school expenses within the school budget(s) (see Fiscal policy). Reimbursable expenses include the approved purchase of school materials and supplies, registration fees, etc. Reimbursable (reasonable) expenses while traveling on school business include mileage (to and from assigned meetings, etc. at the federal rate) travel fares, accommodations, meals, tips, telephone and fax charges and approved purchases on behalf of the school. The Utah State Procurement Code (law) and Administrative Rules of the Division of Purchasing and the USBE must be followed when employees make purchases on behalf of the school.

All expenses must be submitted on the Request for Reimbursement Form(s) and approved by the employee's supervisor/budget steward prior to submission for reimbursement **within 90 days**. Whenever possible and in situations where the employee may question the reasonableness of an expense, the employee should secure approval in advance of incurring the expense. **Unreasonable or excessive expenses will not be reimbursed**. Employees are not authorized to spend School funds without approval nor expend funds over budgeted amounts. The School may not reimburse employees for unauthorized or excess expenditures. Any questions should be directed to the business office.

The school is **exempt from paying state sales tax on all purchases made with school funds**. Employees who purchase supplies with their own funds (as approved) and then seek reimbursement, may not be reimbursed for the sales tax portion of the purchase, unless such a reimbursement is eligible for a rebate to the school of tax paid.

### Attendance and Punctuality

**Employee attendance and punctuality is a major concern of the School. Unsatisfactory attendance, including tardiness and leaving work early causes student safety to be at risk in most cases and is unacceptable performance in any case. *Employees who are not ready and at work when scheduled may be subject to employee discipline up to and including termination of employment.* Furthermore, employees are rated in their performance appraisal in the categories of attendance and punctuality.**

**Employees shall be at their assigned workspace prepared to begin work at the start of their scheduled work time or resumption of work duties. If employees are not prepared, they will be considered tardy. Excessive tardiness or absences, whether excused or unexcused, constitute unacceptable work performance. The School does not categorize tardiness as excused or unexcused. If an employee is tardy, his/her wages will be reduced by the amount of time he/she is tardy, calculated in whole minutes according to the School's time clock system.**

**If an employee is ill, injured, an unexpected emergency arises, or for any reason cannot be on-time to work a scheduled shift, the employee must notify their supervisor or manager no later than thirty (30) minutes before the start of their scheduled shift. If an employee's supervisor, manager or designee is not available, the employee should contact a member of management. If an employee is physically unable to contact the School, they should direct another person to make the contact on their behalf. *Leaving a message with a fellow staff employee or on an answering service is not considered proper notification.***

When an employee calls in absent, he/she is to advise the School of his/her expected date of return. Management reserves the right to require proof of illness, injury or accident, including a doctor's statement(s) or notice(s), for any temporary disability.

Repeated absences, excessive absences (excused or unexcused) or a pattern of absences are unacceptable job performance. If an employee is absent for three (3) consecutive days and has not provided proper notification, the School will assume that the employee has abandoned his/her position and he/she may be treated as having voluntarily terminated employment with the School.

If an employee becomes ill at work, he/she should notify his/her supervisor or manager immediately. If an employee is unable to perform his/her job task, an employee may be sent to his/her treating doctor or home for the remainder of the day or until able to work again. Employees will be paid only for time actually worked and may receive paid sick time, if eligible.

All absences are to be arranged as far in advance as possible using the **Leave Request Form**. This includes vacations and time off for other reasons. If a doctor or dental appointment must be scheduled during the workday, it should be scheduled as early in the morning or as late in the afternoon as possible. Employees are encouraged to schedule non-emergency appointments for any purpose outside of regular School hours, or during School breaks when possible.

### Availability for Work

Employees must be available for work during normal school hours. If an employee is not able to consistently arrive on time to work or perform work when scheduled, regardless of reason, disciplinary action may occur up to and including termination of employment. Employees must discuss the need to request time off or scheduling changes with their supervisor as soon as they are discovered. See the Employee Leave section for additional information on availability and time off.

### Mandatory Meetings

Employees may be required to attend mandatory staff meetings. In the event that a mandatory meeting interferes with an employee's regular schedule, no overtime will be paid for attendance except in those cases where a mandatory meeting causes a non-exempt employee to exceed forty (40) working hours in a single work week.

## **Employee Leave**

### Employee Leave—Procedures

All employees requesting time off must complete a Staff Leave Request Form for review and approval by the School Director. Excessive tardiness or absences may result in disciplinary action, up to and including termination of employment.

The following guidelines are designed for the proper use of all approved Leave, whether paid or unpaid (see Employee Paid Time Off Policy):

1. If you do not report to work, you must phone your supervisor or have someone call for you as early as possible once you know that you will not be able to report to work. This procedure allows your supervisor to rearrange work schedules and arrange for coverage in your absence.
2. If you must leave the school before your assigned work time because of illness or other reason, you must inform the principal before leaving.

3. If you foresee the need to miss work (e.g., for non-emergency surgery or for a doctor's appointment or for personal reasons), you should **make every effort to schedule the appointment(s) outside of the regular workday.**
4. If an appointment must be scheduled during your regular workday, inform your supervisor as soon as possible so that plans can be made to cover your absence.
5. If you are absent because of sickness or disability, the School may require that a doctor's note be provided and/or doctors of School's choice examine you.
6. In case of an extended absence, you should consult other sections of this handbook and your insurance plan booklet to see whether you are eligible for disability leave (if offered) or continued eligibility of medical benefits as applicable.
7. All employees requesting time off must complete an Absence Request form for review and approval by the School Director. (This may be done after the absence occurs for illness or emergency.)
8. All approved leave (paid and unpaid) is granted for a specific period of time. An employee who foresees being unable or unwilling to return to work at the end of the leave period should apply for any other leave for which the employee is eligible, including an extension of the current leave. School reserves the right to terminate the employment of an employee who does not return to work at the end of an approved leave period.
9. Employees who are the subject of disciplinary action and placed on paid or unpaid leave by the school as part of a disciplinary plan or during investigation periods are required to use all available PTO starting immediately upon inception of leave. In these circumstances, the School shall apply available PTO to regular paychecks for employees on paid or unpaid leave until available PTO is exhausted.

### Employee Leave—Eligibility

Schools, as public agencies, are subject to FMLA regardless of employee count.

Full-time employees (Eligible Employees) are eligible paid leave benefits. Employees who have been employed for at least 12 months and worked more than 1,250 hours are eligible for federally protected Family and Medical Leave. All employees are eligible for non-paid jury duty, witness duty, military, bereavement, and voting leave. All employees may apply for a Personal Leave of Absence.

### Employee Leave—Paid Time Off (PTO)

Paid Time Off operates differently for employees based on classification as either a School-Year or Calendar-Year employee. Refer to Gateway's Paid Time Off Policy for further detail.

#### **School-Year Employees**

School-Year employees have about 178 scheduled days off per year, including multi-day breaks in Fall, Winter, Spring, and Summer. School-Year Employees should take vacation time and handle most personal matters during these scheduled out-of-session days (breaks). For other absences, Eligible Employees earn 5 days of paid time off (PTO), which can be used for any purpose, and 5 sick days for each full calendar month worked during the school year.

#### **Calendar-Year Employees**

Calendar-Year Employees do not have the same extended scheduled breaks from work assignments during the year (see Paid Time Off policy), and therefore have a greater allocation of vacation time. When possible, Calendar-Year Employees should still schedule extended use of PTO for school breaks. Eligible Employees



qualify for up to twelve (12) days of Personal Leave, which may be used for any purpose. Calendar-Year Employees may be granted flexible work schedules or assignments during scheduled school breaks without using PTO at the Director's or Supervisor's discretion. Such schedules or assignments may include reduced hours, permission to work from home, or other accommodations.

#### Employee Leave—Unused PTO

Unused PTO not carried forward may be paid to employee after the end of each school year\* at a rate of **\$100 per day.**

**Employees will not be paid for unused PTO when their employment ends for any reason.**

**For purposes of this section, the end of the school year is the last scheduled day of work for school-year employees, and June 30 for calendar-year employees.**

#### Employee Leave—Family and Medical Leave Act (FMLA)

Eligible employees (see Eligibility Section above) may take up to 12 weeks of *unpaid* job-protected leave within a 12-month period per the terms of the Family and Medical Leave Act (FMLA). FMLA leave is a specified and approved leave granted by the School upon the formal written request of eligible employees. Ineligible employees granted other forms of leave for any reason are not granted approval for nor is their leave governed by or under the provisions of FMLA (see Personal Leave of Absence section below). Eligible employees may request FMLA leave after 12 months and 1,250 hours of employment service in the previous 12 months. Eligible employees are expected to request FMLA leave with 30 days' advance written notice except in times of unexpected leave. Employees will be required to submit a Statement from a Health Care Provider verifying the need for FMLA leave. Employees are required to use any and all available (accrued) PTO or other leave time before beginning leave under FMLA. Employees may have additional rights including rights for eligible relatives of certain military service personnel and should refer to the Family and Medical Leave Act for additional information.

Subject to the Plan Documents, terms and conditions of the various medical benefit plans, benefits will continue for the full period of FMLA leave. Employees who do not return to regular employment with the School after an approved FMLA leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

#### Employee Leave—Personal Leave of Absence

Requests for personal leave without pay are considered individually and granted at the discretion of school administration. The reason for the request, the employee's length of service, the employee's work record and the demands of the individual's job are examples of the type of factors typically considered in evaluating a request for personal leave of absence. A request for personal leave of absence may be granted only if the employee is not eligible for any other type of leave.

**Teacher salaries (and salaries of other employees whose salary is spread over a longer period than their work schedule) who take unpaid leave (including FMLA leave) will be prorated proportionate to the number of days worked out of the scheduled days according to work schedules, and the final, prorated payment will be made on the regular pay day for the pay period that includes the date of the beginning of unpaid leave.** When returning from leave, a new salary will be calculated proportionate to the number of work days remaining in the school year out of the total work days scheduled for the school year. The new salary shall be paid in equal installments over the regular paydays remaining in the school year.

Subject to the Plan Documents, terms and conditions of the various plans and upon School approval, medical benefit plans may continue for the full period of approved leave. Employees who are granted personal leave

are responsible to pay the employee portion of any benefit programs in which they participate. Arrangements should be made with administration to coordinate the payment of premiums and other costs during leave periods when regular payroll withholding is not possible. Employees who do not return to regular employment with the School after an approved Personal Leave of Absence may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

#### Employee Leave—Bereavement Leave

PTO-Eligible Employees may request a leave of absence with pay for a maximum of five (5) consecutive working days upon the death of a member of his or her immediate family. Members of the immediate family are defined as: spouse, domestic partner, father or step-father, mother or step-mother, child, sister or step-sister, brother or step-brother, grandmother, grandfather, father-in-law, or mother-in-law. Proof of death may be required.

#### Employee Leave—Jury Duty

Employees summoned for jury duty will be allowed the necessary time off from work to perform this civic responsibility. Employees must give the School 15 days' advance notice. For employees eligible for PTO, School will pay such employees the difference between their regular salary and any jury duty fees received for up to five days of jury duty per school year. Employees are not authorized to use earned PTO for jury duty. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. School may require the employee to supply documentation from the court affirming the employee's jury duty service and compensation. Employees or their supervisor may ask the court to excuse an employee from jury duty if an absence would cause serious operational difficulty for the school.

#### Employee Leave—Witness Duty

Employees who receive a subpoena to testify in court may be granted time off to serve as a witness for that purpose. Employees must give the school 15 days' advance notice. School will pay such employees regular wages if the case involves the School, and the employee is not plaintiff to the suit. Employees are not compensated if the case does not involve the school and will use PTO hours (if available) for this absence. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. School may require the employee to supply documentation from the court affirming the employee's witness duty service.

#### Employee Leave—Voting Leave

If an employee does not have three (3) or more consecutive non working hours while the polls are open to vote, then an employee will be given up to two (2) hours to vote in any state or federal election. The employee must request such leave at least one (1) day before Election Day. The School may determine when an employee may take voting leave. However, if an employee requests leave at the end or beginning of a shift, the School will likely honor that request. The two hours shall be compensated at the employee's regular rate of pay.

#### Employee Leave—Military Duty

Leaves for military service and reinstatement after performing military service will be provided in accordance with the requirements of law (as applicable to the School at the time the leave was granted only) as defined in the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees who are absent from work in order to attend an annual encampment in a recognized reserve branch of the armed forces of the United States will receive an unpaid leave of absence of up to a maximum of two weeks per year.

Employees must provide 30 days' advance notice unless an emergency or classified situation dictates otherwise, upon which evidence must be provided to the School.

Subject to the law and the Plan Documents, terms and conditions of the various plans, medical benefit plans may continue for the full period of military leave. Employees who do not return to employment with the School after an approved military leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

## Holidays

School holidays include federal or state holidays, fall, winter or spring breaks and other days designated as school holidays on the School's annual calendar. Employees not eligible for PTO do not receive compensation on holidays of any kind unless scheduled to work by their supervisors. Administrative employees may be required to work holidays as determined by their supervisor or the school principal and as outlined in Compensation Agreements. Operations, maintenance and custodial employees are required to work most school break periods that are not federal or state holidays.

## Emergency Closings and Severe Weather

This policy establishes guidelines for School operations during periods of extreme weather and similar emergencies. The School will remain open in all but the most extreme circumstances. Unless an emergency closing is announced, all employees are expected to report to work. However, the School does not advise employees to take unwarranted risks when traveling to work in the event of inclement weather or other emergencies. Each employee should exercise their best judgment with regard to road conditions and other safety concerns.

### Designation of Emergency Closing

Only by the authorization of designated managers will the School cease operations due to emergency circumstances. If severe weather conditions develop during working hours, it is at the discretion of Management to release employees. Employees will be expected to remain at work until the appointed closing time.

### Procedures during Closings

If weather or traveling conditions delay or prevent an employee's reporting to work, the immediate supervisor should be notified as soon as possible. If possible, such notification should be made by a telephone conversation directly with the supervisor. If direct contact is not possible, leaving a detailed voicemail message or message with another employee is acceptable. An employee who is unable to report to work may use any accrued personal time or take the day off without pay.

### Pay and Leave Practices During Emergency Closing

When a partial or full-day closing is authorized by Administration, the following pay and vacation practices apply:

- Hourly employees will either be sent home for partial days with the option of using personal/vacation time for the remainder of the day. If personal/vacation time is not available, employees will be excused from work without pay and without disciplinary action.
- Exempt and nonexempt employees already approved and scheduled use leave when an emergency closing occurs will be charged such leave as was approved and scheduled.

### Other Work Options

Supervisors may approve requests for employees to temporarily work from home, if doing so allows completion of work assignments.

## **Employee Benefits**

The School provides benefits information to all eligible employees. The Plan Documents and Benefits Guides and Literature explain each benefit in detail, including costs, and the language of the plans' documents governs the application of each plan. Employee benefits may be modified or terminated; or new plans added at any time by the School, benefits providers, or as required by law per the terms of the plan and/or at the School's discretion. Eligible employees may have to pay for part or all of the cost of benefit plans. Employees are required to read and understand School-offered benefit program materials to determine for themselves what benefits are best suited for them. Employees must contact the business office if they have any questions.

### **Benefits Eligibility**

Employees who are scheduled and working thirty (30) hours or more per week during the school year that have successfully completed 30 days of eligible employment are eligible for certain employee benefits. Employees scheduled and working less than the above-noted hours per week are not eligible for certain employee benefits. Temporary, probationary, on-call and substitute employees not consistently working in excess of 30 hours per week are generally not eligible for any employee benefits.

### **Initial Benefits Enrollment Period**

Employees have until the end of the initial enrollment period (as defined in Plan Documents) to submit all benefit enrollment forms for enrollment in employee benefit plans. Employees who do not submit all forms within the initial enrollment period will forfeit eligibility for enrollment in benefit plans at that time and will be required to submit new benefits enrollment forms at the School's next open enrollment period. Employees may contact the business office at any time to obtain benefits eligibility, enrollment, plan information or enrollment forms at any time.

### **Medical Insurance**

Medical insurance is available for eligible employees and their qualified dependents. Refer to the providers' Benefits Guide summaries for details regarding coverage, eligibility, waiting periods and cost. Eligible employees and their dependents may become eligible to participate or make enrollment changes outside of the annual open enrollment period if they experience a Qualifying Event as outlined in and governed by Plan Documents and provider Policy. If you are enrolled in a plan and become no longer eligible through a Qualifying Event, you may be able to continue coverage at employee's expense through the Consolidated Omnibus Budget Reconciliation Act (COBRA).

### **Retirement Plan**

Eligible Employees will be given the option to enroll in the School's retirement program as outlined in the Summary Plan Description. All regular employees working more than 1,000 hours in one calendar year are eligible to participate in the School's retirement plan in accordance with the provisions of the law and the Plan Document.

### **Worker's Compensation**

School requires that all employees report job-related accidents or injuries to a supervisor immediately, whether the accident occurred on or off school premises. Failure to report an injury, regardless of how minor, could result in difficulty or denial of the employee's claim by the insurer and may be grounds for discipline for the employee, up to and including termination of employment. Employees are required to assist

supervisors with completion of the First Report of Injury form within 3-5 working days of the accident or injury.

Worker's compensation insurance only covers work-related injuries and illnesses. The insurer under their policies, terms and conditions administers workers' compensation claims and the insurer pays claims. Employees are expected to return to work immediately upon release by their doctor.

### Continuation of Benefits

The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives eligible employees and their qualified beneficiaries the opportunity to continue health coverage under the school's health plan, should the employee lose his or her eligibility from a Qualifying Event. A Qualifying Event may include resignation, termination, leave of absence, altered work schedule, death, etc. Under COBRA, if an eligible individual elects to continue insurance, that individual pays the full cost of coverage at the school's group rate, plus an administrative fee. Details of COBRA coverage and how to apply for it will be provided as required by law.

Under COBRA, employees may be allowed to continue their health insurance benefits, at the employee's expense, for up to 18 months after experiencing a qualifying event as outlined below. Longer periods of coverage may be available depending upon the qualifying event.

To qualify for COBRA continuation coverage, an employee must have a qualifying event that causes the employee to lose group health coverage. The following are qualifying events for:

#### Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct.
- Reduction in numbers of hours worked.

#### Spouses

- Loss of coverage by the employee because of one of the qualifying events listed above.
- Covered employees become eligible for Medicare.
- Divorce or legal separation of the covered employee.
- Death of the covered employee.

#### Dependent Children

- Loss of coverage because of any of the qualifying events listed for spouses.
- Loss of status as a dependent child under the plan rules.

### Unemployment Benefits

The Utah Department of Workforce Services administers unemployment benefits on behalf of the School. *As defined in state rule, employees (including teacher's aides and substitute teachers) not working during regular off-session days are not eligible for unemployment benefits.* See Utah Administrative Rule R994-405-801 - 808 Services in Education Institutions.

## Employee Performance and Corrective Action

### Performance Reviews, Promotion and Demotion

Employees will generally receive an appraisal of their job performance annually. This evaluation may be either written or oral. Such evaluation may not occur exactly on the anniversary date, but thereabout, at the

discretion of the supervisor or manager. The reviews will focus on job-related strengths and weaknesses, including peer relations as well as overall fit with the school. Goals and improvement plans will be established each review period and progress will be measured periodically and at a minimum, the next annual review. Employees are encouraged to discuss their job performance with their supervisor informally on a day-to-day basis.

Performance reviews will determine merit compensation adjustments, promotions and demotions. The School is most interested in providing opportunity for advancement within the School if opportunity for advancement becomes available. Accordingly, present employees of the School may be considered for promotions. The School retains sole discretion to determine the factors to be applied in any promotion decision and the relative weight of the factors. The School may demote an employee, which is a reduction in responsibility usually accompanied by a reduction in salary or wages.

Employees will have the opportunity to thoroughly review all performance appraisals and provide a written opinion if they so desire.

### Employee Communication and Relations

School seeks to deal openly and directly with its employees and believes that communication between employees and management is critical to solving problems. The School's philosophy is that the person(s) ablest to solve problems are the persons involved in a given situation. It is best to address problems with the person(s) with whom the problem or perceived problem exists. Co-workers that may have a problem with another employee or employees should attempt to resolve the problem themselves. If a resolution is not apparent, both employees should approach their supervisor(s) who will work with the employees to facilitate a resolution. In these instances, the decision of the supervisor is final.

Employees that have a problem with a supervisor should first go to the supervisor and state the problem. If a resolution cannot be agreed upon, the employee should present his or her problem, in writing, to his or her supervisor, the business office or the school director or principal. The decision of the supervisor, business office, director or principal will be final. See the school's Complaint Policy for additional details.

### Complaint Policy

The School subscribes to the open-door policy. You may bring a particular complaint to your supervisor for resolution. When matters cannot be handled on an informal basis, the School has established a formal procedure for a fair review of any work-related controversy, dispute or misunderstanding. One or more employees may bring a complaint concerning any work-related problem where the complaint has not been satisfactorily resolved in an informal manner. Please see the full Grievance Policy for full details.

### Corrective Action or Discipline

A high level of job performance is expected of each and every employee. In the event that an employee's job performance does not meet the standards established for the position, employees should seek assistance from their supervisor or manager to attain an acceptable level of performance. If employees fail to respond to or fail to make positive efforts toward improvement, corrective action (or disciplinary action) may ensue, including termination of employment.

It is the policy of the School to regard discipline as an instrument for developing total job performance rather than as punishment. Corrective action is one tool the School may select to enhance job performance. Corrective action may be in the form of a written or oral reprimand, written or oral notice(s) of violation of School policy or inadequate job performance, suspension, discharge (termination of employment) or in any combination of the above if the School so elects. The School reserves its prerogative to discipline, and the manner and form of discipline, at its sole discretion.

If employees violate established laws or rules of the state or federal government, School policies or procedures, guidelines, exhortations, or exhibit behavior that violate commonly accepted standards of behavior, honesty or integrity or creates an appearance of impropriety, the School may elect to administer disciplinary action. *The School is an at-will employer. Nothing in this policy removes the at-will nature of the employment relationship between the School and its employees. Furthermore, the School is not required to take any corrective or disciplinary action before making an adverse employment decision, including discharge.*

## **Employee Separations**

All employee benefits are affected by termination of employment. Any accrued, vested or otherwise available benefits will not be paid at the time of termination unless prescribed by law. Individuals may choose to elect continuing coverage (based upon eligibility and at employee's own expense) for certain benefits under COBRA. Individuals will receive notification in writing about which benefits they may be eligible to receive after termination. Eligible individuals must elect to continue benefits or the benefits will not be available to them. Any accrued wages will be paid as prescribed by law as applicable to public entities.

### **Resignation**

Employees are requested to provide a minimum of two (2) weeks' written notice of their intent to resign. An employee's notice of resignation to voluntarily terminate employment with the School should be submitted to his/her supervisor or manager. An exit interview may be requested. Employees who resign their employment with the School are requested to do so in writing.

### **Job Abandonment**

Employees of School that are absent for three consecutive days without notifying a direct supervisor are considered to have voluntarily abandoned their employment with the school and the School will consider their abandonment as a resignation. The effective date of termination will be the last day the employee reported for work. If an employee abandons a job, he or she will not be entitled to any further compensation, including policy approved accrued PTO, unless required by law.

### **Termination**

All employment with the School is "at will" employment. This means that the employee has not been hired for a specified duration, but that he/she can terminate his/her employment with the School or the School can terminate employment at any time, with or without cause, and with or without prior notice. *An employee's at-will employment status cannot be changed by any oral modifications.*

### **Termination Process**

School requires that employees return all documents, files, passwords, computer equipment, uniforms, school tools, business credit or debit cards, keys and other school-owned property on or before the last day of work. As allowed by law, when all school-owned property has been collected, the employee will receive his or her final paycheck on the next regular payroll date. The value of any unreturned property will be deducted from the final paycheck. As a public school, the School is not required (by law) to provide a final paycheck within 24 hours, which is required of private sector employers in Utah. See Utah Code Annotated 34-28-1.

Upon termination for any reason, whether due to resignation or discharge, teacher salaries (and salaries of other School-Year employees whose earnings are spread over a longer period than their work schedule) will be prorated proportionate to the number of days worked out of the scheduled days according to work schedules and Compensation Agreements, and the final, prorated payment will be made on the regular pay

day for the pay period that includes the date of termination. Employees leaving the school may have the option of having an exit interview with his or her supervisor.

Upon termination for any reason, whether due to resignation or discharge, the school shall make its best effort to administer an employee Exit Survey consistent with UCA 53G-11-304 and shall report the results of any surveys as required by UCA 53G-11-304.

### Employment References

The School may, at its discretion and in accordance with law, provide employment references to potential employers of the School's former employees. The School will provide dates of employment and positions held and any other lawful and relevant information related to the employee's time as an employee of the School. Consistent with Utah Code Annotated 53G-11-410, the School shall report certain disciplinary action to certain potential employers of former School employees.



**Appendix A**

**RECEIPT AND ACKNOWLEDGEMENT OF EMPLOYEE HANDBOOK**

The undersigned acknowledges receipt of the School’s Employee Handbook (Handbook) and acknowledges the School has provided sufficient time for a thorough review of the entire document. Nothing in this handbook is intended to infringe upon employee rights under Section Seven (7) of the National Labor Relations Act (NLRA).

Except for the At-Will provisions, the Handbook can be amended at any time. It is specifically understood and agreed that the Handbook is for informational purposes only, is not intended to be inclusive of all circumstances affecting employment, may be changed at any time with or without prior notice, and is not intended to create a contract, nor is it a contract of employment or continuing employment between myself and the School. It is further understood that neither the Handbook nor any policy of the School is a guarantee or promise of employment or continuing employment.

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I agree to read the Handbook and to follow the guidelines, policies and procedures set forth in the Handbook, and any amendments to the Handbook, along with the other policies and procedures of the School. I understand I can ask, speak with and ask questions of School Leaders relating to any aspect of this Handbook or other School policies or procedures.

I understand that as a role model for youth, having care for or custody over children, as defined in state law, administrative rules and School policies, I may not engage in activity causing a Boundary Violation. I understand that all laws, rules and policies affecting public education in Utah, and at the School, apply to me and govern my behavior while employed by the School. I further understand and acknowledge that my behavior off campus in my personal life may result in corrective or disciplinary action at work (the School) up to and including termination of my employment.

I understand that I am not being hired for any definite period of time even though my wages are paid regularly. I acknowledge that no promises or representations have been made to me that corrective action, discipline or discharge from the School may only occur under certain circumstances or after certain events. I further understand that I am an at-will employee and my employment can be terminated at any time by the School or by me, and that termination may be with or without cause and with or without prior notice.

I understand and acknowledge that School policy requires all employees to be hired at-will and this policy cannot be changed by any oral modifications. My at-will employment status with the School has been fully explained and I have been given an opportunity to ask any questions regarding School policies and my employment status. No representative of the School has made any promise or other statements implying employment will be other than what has been stated above.

\_\_\_\_\_   
Date

\_\_\_\_\_   
Signature

\_\_\_\_\_   
Print Name